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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/558,453 04/25/00 LIU

Z 15939-18

EXAMINER

MMC2/0328

LAM, T

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 03/28/01

GEORGE L FOUNTAIN  
OPPENHEIMER WOLFF & DONNELLY LLP  
2029 CENTURY PARK EAST SUITE 3800  
LOS ANGELES CA 90067

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/558,453**

Applicant(s)  
**Liu et al.**

Examiner  
**Thanh Lam**

Group Art Unit  
**2834**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-7 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-7 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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## DETAILED ACTION

### *Priority*

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### *Claim Objections*

2. Claim 6 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 5. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asada et al. in view of Tielemans.

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Asada et al. disclose a spindle motor including a stator component, a rotor component, including a hub (23) for supporting one or more discs (33), and a bearing assembly between the components, formed of a thrust bearing (24) is adapted to function in bi-directional manner and includes an annular member projection radially from one of the component into associated recess (23b) formed in the other of the components, the annular member has two opposed bearing faces and surfaces arranged in the recess and a hydrodynamic bearing is formed between the faces and the surfaces. But, Asada et al. fail to disclose an aerodynamic bearing.

Tielemans discloses an aerodynamic bearing having a shaft (1) and an associated sleeve (3), the shaft provided with a passage (11) for providing air flow through the aerodynamic bearing, the purpose of using the aerodynamic bearing is reducing a space as required by the spindle motor.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the bearing structure as taught by Asada et al. and replace the aerodynamic bearing of Tielemans to improve the space of the spindle motor.

Regarding the limitations of claims 4-5, the liquid retained in the recess by seals disclosed by Asada et al. and the thrust bearing passageway having a port opening adjacent to the thrust bearing (23d).

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*Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The fax phone number for this Group is (703) 305-3431.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0656.



Thanh Lam

march 24, 2000



NESTOR RAMIREZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800